

104TH CONGRESS
2D SESSION

H. R. 2908

To promote international trade and interstate commerce in the broodstock and seedstock of domesticated salmonid by authorizing the Secretary of Agriculture to provide diagnostic and certification services to reduce the risk of transmission of diseases associated with domesticated salmonid.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 1996

Mr. HASTINGS of Washington introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To promote international trade and interstate commerce in the broodstock and seedstock of domesticated salmonid by authorizing the Secretary of Agriculture to provide diagnostic and certification services to reduce the risk of transmission of diseases associated with domesticated salmonid.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Domesticated
3 Salmonid Broodstock and Seedstock Act of 1996”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) The terms “salmonid” means a specie in
7 the family salmonidae, including each specie of salm-
8 on and trout.

9 (2) The term “domesticated”, with respect to
10 salmonids, means salmonids raised on a farm for
11 profit and held throughout their life-cycle in cap-
12 tivity.

13 (3) The term “broodstock” means domesticated
14 salmonids intended to be used for reproductive pur-
15 poses.

16 (4) The term “seedstock” means gametes (egg
17 and sperm) and fertilized (eyed) eggs produced from
18 domesticated salmonid broodstock.

19 (5) The term “Secretary” means the Secretary
20 of Agriculture.

21 **SEC. 3. FINDINGS AND PURPOSE.**

22 (a) FINDINGS.—The Congress finds that—

23 (1) United States breeders of domesticated
24 salmonids raise broodstock and produce seedstock
25 which are essential to the production of domes-

1 ticated salmonids in the United States and through-
2 out the world;

3 (2) the production and dissemination in inter-
4 state commerce of salmonid broodstock and
5 seedstock provides employment and income in eco-
6 nomically depressed rural areas and contributes to
7 the expansion of United States exports;

8 (3) various foreign nations, including the mem-
9 bers of the European Union, have adopted require-
10 ments that salmonid seedstock imported from the
11 United States and other nations be inspected and
12 certified by a competent authority prior to export;

13 (4) existing Federal and State programs for the
14 inspection and certification of the health status of
15 salmonid broodstock and seedstock are inadequate
16 and inconsistent;

17 (5) the efficient and effective inspection and
18 certification of salmonid breeding facilities,
19 broodstock, and seedstock is essential to the eco-
20 nomic well-being of the domesticated salmonid
21 broodstock and seedstock industry in the United
22 States; and

23 (6) the Secretary of Agriculture currently pro-
24 vides inspection and certification services to the live-
25 stock and live poultry industries and has the tech-

1 nical expertise and capacity necessary to administer
2 a program to provide similar services to the United
3 States domesticated salmonid broodstock and
4 seedstock industry.

5 (b) PURPOSE.—It is the purpose of this Act—

6 (1) to designate the Secretary of Agriculture as
7 the single competent authority for the health inspec-
8 tion and certification of salmonid broodstock and
9 seedstock used to produce domesticated salmonids;

10 (2) to promote fair trade and interstate com-
11 merce in salmonid broodstock and seedstock pro-
12 duced in the United States, which is used to produce
13 domesticated salmonids; and

14 (3) to reduce the risk of transmission in inter-
15 state commerce of diseases, pathogens and pests in
16 domesticated salmonid broodstock and seedstock to
17 the extent practicable.

18 **SEC. 4. PREVENTION OF INTRODUCTION AND SPREAD OF**
19 **CONTAGION.**

20 (a) REQUIRED ACTIVITIES.—In cooperation with pro-
21 ducers of domesticated salmonid seedstock, the Secretary
22 of Agriculture shall establish a comprehensive program
23 with regard to domesticated salmonid broodstock and
24 seedstock to—

1 (1) provide diagnostic and certification services
2 in a manner which is effective and efficient and
3 which fosters the participation of State and private
4 laboratories;

5 (2) establish health criteria for domesticated
6 salmonid broodstock and seedstock; and

7 (3) monitor, evaluate, and facilitate the elimi-
8 nation of, unreasonable impediments to the inter-
9 state commerce of broodstock and seedstock that is
10 certified under the program.

11 (b) USE OF EXISTING AUTHORITIES.—To prevent
12 the introduction or dissemination in interstate commerce
13 and international trade of any contagious, infectious, or
14 communicable disease associated with domesticated
15 salmonid broodstock and seedstock and to promote the ex-
16 portation of domesticated salmonid broodstock and
17 seedstock, the Secretary may use the authorities provided
18 in the following provisions of law (relating to livestock and
19 poultry) to regulate the production, transportation, and
20 exportation of domesticated salmonid broodstock and
21 seedstock:

22 (1) Sections 1, 2, and 3 of the Act of February
23 2, 1903 (21 U.S.C. 111, 121, 122).

1 (2) The Act of May 29, 1884 (21 U.S.C. 112,
2 113, 113a, 114, 114a, 114a–1, 115–120; commonly
3 known as the Animal Industry Act).

4 (3) Sections 1 and 2 of the Act of February 28,
5 1947 (21 U.S.C. 114b, 114c).

6 (4) The Act of March 3, 1905 (21 U.S.C. 123–
7 127).

8 (5) Sections 1 through 6 and sections 11, 12,
9 and 13 of Public Law 87–516 (21 U.S.C. 134–
10 134h).

11 (6) Sections 1, 2, and 3 of Public Law 91–239
12 (21 U.S.C. 135–135b).

13 **SEC. 5. ADVISORY COMMITTEE.**

14 (a) ESTABLISHMENT; MEMBERSHIP.—Not later than
15 180 days after the date of the enactment of this Act, the
16 Secretary shall establish an advisory committee consisting
17 of—

18 (1) five members selected from representatives
19 of the salmonid broodstock and seedstock industry;

20 (2) three members selected from the Depart-
21 ment of Agriculture; and

22 (3) one member selected from the officers and
23 employees of the Department of Agriculture who
24 shall serve as chairman of the Committee.

1 (b) FUNCTIONS.—It shall be the function of the Com-
2 mittee to advise the Secretary with respect to the develop-
3 ment and implementation of the program for domesticated
4 salmonid broodstock and seedstock industry authorized by
5 this Act, including diagnostic and certification services, all
6 rules and related analysis pertaining thereto, and the fa-
7 cilitation of fair trade and the dissemination of domes-
8 ticated salmonid seedstock in interstate commerce.

9 (c) MEETINGS.—The Committee shall meet at the
10 call of the Secretary.

11 (d) EMPLOYMENT STATUS; EXPENSES.—Committee
12 members (other than the chairman and other Department
13 of Agriculture staff) shall not be considered to be employ-
14 ees of the United States by reason of their membership
15 and shall not be entitled to compensation for service on
16 the Committee. However, the Secretary may pay their
17 travel and subsistence expenses (or a per diem in lieu
18 thereof) in connection with their attendance at meetings
19 of the Committee.

20 **SEC. 6. CERTIFICATIONS.**

21 The Secretary of Agriculture shall certify to any per-
22 son the health status of any domesticated salmonid
23 seedstock intended for export from the United States.

1 **SEC. 7. CONSTRUCTION WITH OTHER LAWS.**

2 Notwithstanding this Act, the Secretary of the Inte-
3 rior and the Secretary of Commerce shall have sole respon-
4 sibility for the health of salmonids, and the products there-
5 of, located in any facility administered by the Department
6 of the Interior or the Department of Commerce.

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